

March 29, 1991
LPC #1178020003 - Macoupin County
Brighton/Brighton Landfill

EPA Region 5 Records Ctr.



296497

NARRATIVE

Comment 1

Brighton Landfill lost interim status on 11-08-85. Mr. Evans stated he was unable to obtain financial assurance for non-sudden liability and, therefore, he elected to cease further hazardous waste activities at the landfill (see 703.157(c)(2)). According to USEPA enforcement policy, owners/operators of land disposal facilities that close in lieu of meeting the HSWA requirements must comply with all applicable closure and post-closure standards in Part 265, Subpart G (35 Ill. Adm. Code 725, Subpart G).

It appears that Brighton Landfill has neither interim status nor a RCRA permit. The facility is required to close under the interim status regulations of 35 Ill. Adm. Code 725, Subpart G.

A letter has been sent by DLPC's Permit Section to the landfill requesting their submittal of an application to receive a post-closure care permit (703.121(b)). Mr. Charlie Zeal, DLPC Permit Section, said in a March 19, 1991 telephone conversation that there was no record showing Brighton Landfill responded to the Agency's letter about a post-closure permit. The facility is, therefore, not apparently complying with this requirement.

Comment 2

Waste oil was not being accumulated on-site during the inspection. On the 11-22-88 inspection there were 2 55-gallon drums and a portable tank identified as having waste oil in them. Mr. Cottingham said they no longer burn waste oil in the equipment shed heating furnace. They now use propane in the furnace. Mr. Cottingham said what little waste oil that is generated is used by him to lubricate his farm equipment.

It was noted that accumulated runoff from the landfill was discharged off-site. This runoff had not been analyzed to determine whether it was hazardous. The facility has developed an analysis plan for determining whether the runoff is hazardous. This plan, however, refers to EP Toxicity rather than TCLP as the hazardous characteristic to be tested.

Comment 3

Analyses for hazardous wastes accepted at the landfill were furnished by the generators. The DLPC's Permit Section issued a supplemental special waste permit to the landfill prior to the wastes being received.

Comment 4

Mr. Cottingham conducts inspections of the following: fire equipment, safety equipment, the fence and gate, ditches, operating equipment, etc. He conducts the inspection once a month.

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Comment 5

Mr. Cottingham is the only person that works at the landfill. He is a retired person that works on machinery and generally keeps an eye on the site. Since he is on-site every day and would be more likely to see a problem, he should also serve as an alternate emergency coordinator. Therefore, he should have hazardous waste training. Mr. Cottingham has had no formalized hazardous waste training.

Comment 6

Mr. Evans had designated Mr. Frank as the Primary Emergency Coordinator. Mr. Frank also serves as the contact person when conducting a RCRA inspection at the landfill. Mr. Frank has not received any formal training since he received instruction from REACT on 3-21-85. This is also true for Mr. Evans.

Comment 7

Mr. Frank had a written record with his job title and job description available for review. Mr. Frank was unable to find this type of record for Mr. Cottingham.

Comment 8

The landfill is not analyzing the collected runoff water prior to releasing it off-site. This procedure could result in the release of a hazardous waste or hazardous waste constituents.

Comment 9

Mr. Cottingham should be included as an alternate emergency coordinator. He is on-site Mondays through Fridays. Mr. Frank drives trucks for Mid-West Trucking and rarely is at the landfill. In fact, Mr. Frank travels extensively in Illinois as well as other states. It would be difficult for Mr. Frank to handle any type of emergency at the facility while driving a truck. However, Mr. Frank was present during the time that the landfill was accepting refuse and does know where the landfill's records are kept.

Comment 10

Locations of where hazardous wastes were buried in 1985 are referenced by means of a plan sheet divided into vertical and horizontal 1 inch lines. The plan sheet was labelled with numbers along the sides and alphabetically along the top. When a hazardous waste was deposited, the landfill personnel would note where it was deposited in one of the plan's 100 foot grid squares (E-23, G-23, etc.). To provide a more specific location individual "slit" trenches were marked at the south end with a metal post. However, all of the posts have been knocked down or removed.

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The landfill also developed a "Generator Sheet" in which they recorded the grid location (E-23, C-23, etc.), the manifest number, the generator's name, the waste name, the amount of waste disposed, etc.

Comment 11

The landfill had a couple of different closure/post-closure plans with cost estimates available on-site. There has been no annual updates of the cost estimates. Section 725.173 requires that the records be maintained as they become available. Since the annual cost estimates haven't been prepared, they couldn't be available.

Donna Evans, Gene Evan's wife, said by telephone during the inspection that as far as she is aware there have been no annual updates of the cost estimates.

Comment 12

No later than 60 days after certification of closure (indicating closure has been completed) the owner or operator is to supply information of the type of waste, location, quantities, etc. to the Agency and local land authorities. The landfill does not have an Agency approved closure plan. Therefore, a certification that they have closed in accordance with an Agency approved plan can not be made. However, a copy of a letter sent to Richard Cosby (Special Assistant Attorney General for the State) from the landfill included some information concerning quantities and locations of hazardous waste placed in Sites 1 and 2.

The information on the quantities and locations were reportedly sent to the USEPA Regional Administrator and the local zoning authority. This was apparently done to comply with part of the Circuit Court approved closure plan (see page 4 of the plan).

Comment 13

Brighton was required to submit their closure plan to the Agency 180 days prior to the date the owner or operator expected to begin closure. The date when the owner or operator expects to begin closure pursuant to 35 IAC 725.212(d)(2) is within 30 days after the date when the known final volume of hazardous waste was accepted. The last hazardous waste received by Brighton Landfill was apparently 11-07-85.

While a copy of the facility's closure/post-closure plan had been obtained by the Agency in 1984, it had been part of the Part B application that the landfill sent to the USEPA. The USEPA had sent an extra copy to the Agency. Therefore, the closure and post-closure plans had not been intentionally sent to the Agency for review by the Permit Section to determine the plan's adequacy.

The owner or operator was also to submit their closure plan to the Agency within 15 days of the facility's loss of interim status. The facility's

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interim status was terminated 11-08-85, when the landfill was unable to meet the requirements of HSWA of 1984. This means that by 11-23-85, the Agency should have received the landfill's closure plan. A closure/post-closure plan for the landfill had been sent to the USEPA in a submittal dated 11-22-85, but not to the IEPA.

The landfill was also subject to a Circuit Court Order (signed 12-20-85) which required the facility to cease taking any waste. The owner or operator was to submit a closure plan to the Agency within 15 days of a judicial decree or Board order which requires the facility to cease taking hazardous waste or close. This would mean a submittal by 1-04-86, would be required of Brighton Landfill.

I previously talked to Chris Liebman of the DLPC's Permit Section about the landfill's closure and post-closure plans. He said there has never been a Brighton Landfill closure plan officially logged in at the Agency requiring Permit Section's review, though he did have cause to review and disapprove of a closure/post-closure plan by the landfill as indicated by an Agency letter dated 10-14-86.

Several different closure/post-closure plans have been circulated in the Agency. These include:

1. The receipt of a closure/post-closure plan and financial mechanisms as indicated by a 1-18-85 letter from DLPC's Permit Section.
2. A Circuit Court approved closure/post-closure plan sent to Bill Seltzer (with the Agency's Enforcement program).
3. The Court approved closure/post-closure plan sent to Gary King of the Agency's Enforcement program in a submittal dated 1-02-86.
4. A Court approved closure/post-closure plan and separately developed closure/post-closure plan (one that was sent to the USEPA on 11-23-85) was submitted to Bill Child (with DLPC/FOS) in a submittal dated 5-20-86 to the Agency.

The DLPC Permit Section made a review of the closure/post-closure plan that the USEPA had received. Chris Liebman (DLPC Permit Section) did the review. A Compliance Inquiry Letter dated 10-14-86 was sent to the landfill citing the deficiencies.

While there has apparently been closure plans sent to the Agency, it appears that none were sent with the intention of complying with 725.212(d). It appears that they were received in a manner that wouldn't have been logged in and distributed to a permit reviewer.

Section 725.218(e) is similar in requirements to Section 725.212(d). The post-closure plan is supposed to be submitted in the same time frames as indicated for the closure plans.

Comment 14

The facility does have written closure and post-closure estimates. The cost estimates of the Part B application plans include items that are not part of the landfill's operation such as a pug mill, installing PVC membranes, drainage liners, etc. Another of the site's closure/post-closure plan with cost estimates was developed (similar to the Court approved plan) and sent to the USEPA about 11-22-85. Neither plan accurately reflects the current closure procedures.

The Part B application was dated 1-31-84 when submitted. There was no date on the closure/post-closure plan and estimates sent to the USEPA, though the cover letter was dated 11-22-85.

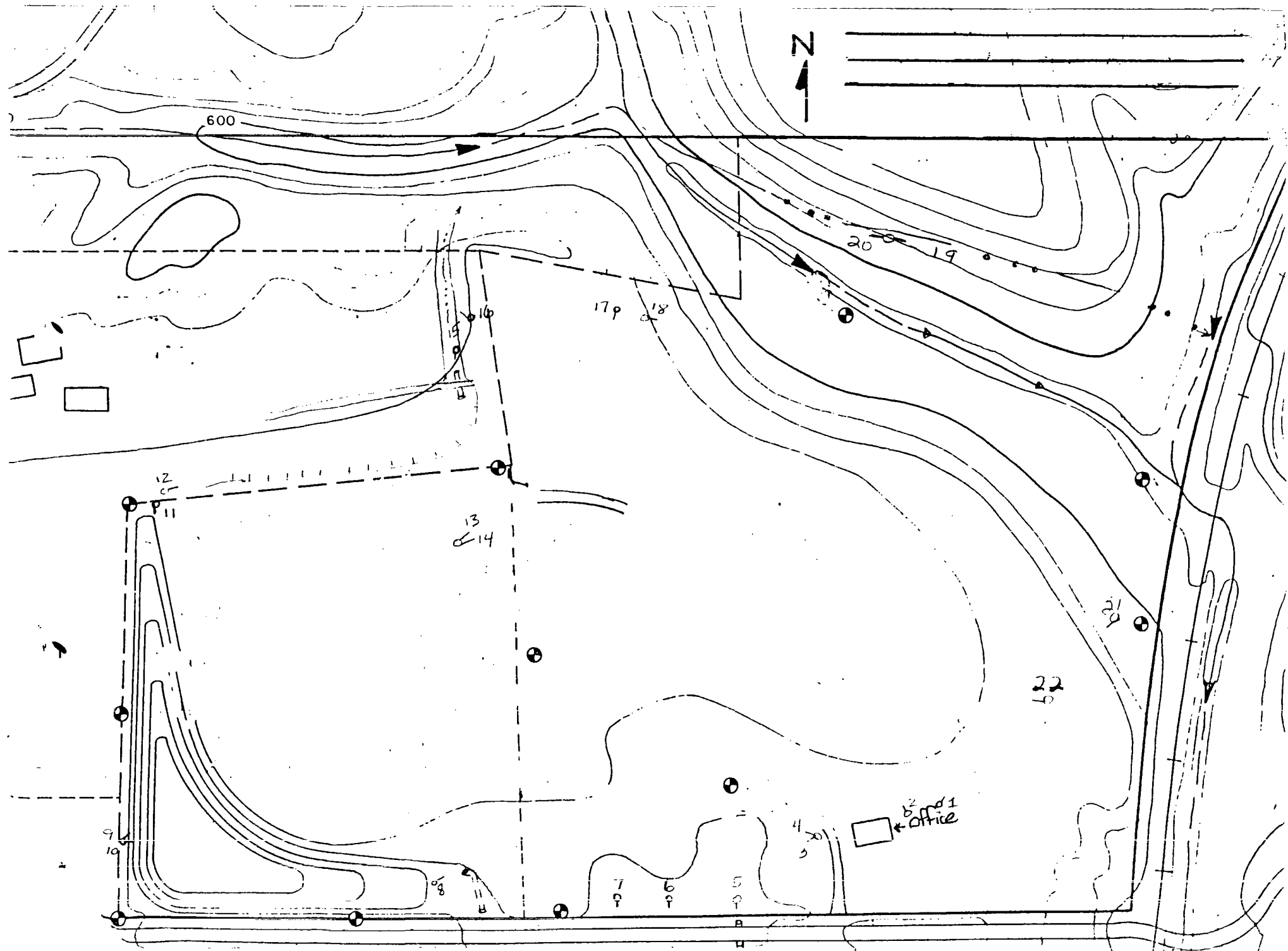
It was noted on the inspection that the facility had not been annually updating their closure/post-closure plan's cost estimates. The facility should develop a closure/post-closure plan pursuant to Subpart G of Part 725 that reflects their current intentions to close the landfill and base their cost estimates on these plans.

Comment 15

Several erosion channels leading off the active portion were observed around the perimeter. Some of the erosion channels continue off-site.

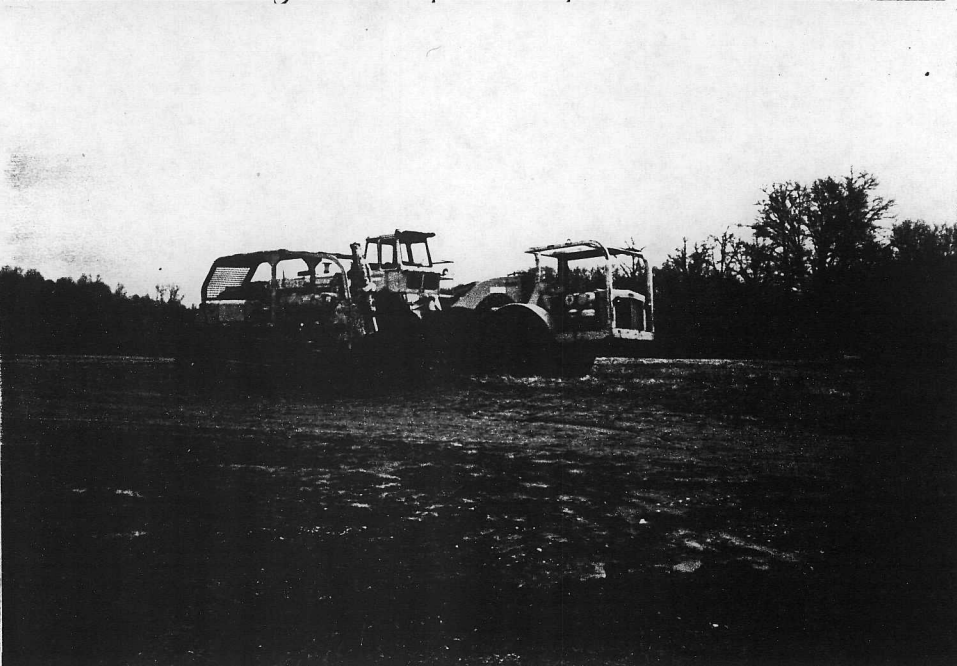
Comment 16

The locations of hazardous waste on the facility's grid map (E-23, C-23, etc.) and the "Generator Sheets" were deemed insufficient to comply with 725.409(a) and (b). The map doesn't provide where in the slit trench and at what depth (elevation) the waste was placed. Operating procedures at the landfill included excavating the entire length (or most of the length) of the slit trench. Hazardous waste would be unloaded near the trench and then pushed in. It might take a day or several days to fill a portion of the section of trench.





INSPECTION PHOTOS

DATE: 03 / 18 / 91	SITE #: 1 1 7 8 0 2 0 0 0 3 CO.: Macoupin
TIME: 8:50AM - 2:15 PM	SITE NAME: Brighton / Brighton Land fill
PHOTOGRAPH TAKEN BY: Rich Johnson	
COMMENTS: Pictures taken toward: northeast	
From an area	
east of the	
equipment shed / office -- in the southeast region	
ROLL #: 344 PHOTO #: 1	


DATE: 03 / 18 / 91
TIME: 8:50AM - 2:15 PM
PHOTOGRAPH TAKEN BY: Rich Johnson
COMMENTS: Pictures taken toward: northwest
From an area
east of the
equipment shed / office -- in the southeast region
ROLL #: 344 PHOTO #: 2



FOS



INSPECTION PHOTOS

DATE: 03 / 18 / 91	SITE #: 1 1 7 8 0 2 0 0 0 3 CO.: Macoupin
TIME: 8:50AM - 2:15 PM	SITE NAME: Brighton / Brighton Land Fill
PHOTOGRAPH TAKEN BY: Rich Johnson	
COMMENTS: Pictures taken toward: South west	
from the south- central region of Site 1	
ROLL #: 344 PHOTO #: 3	

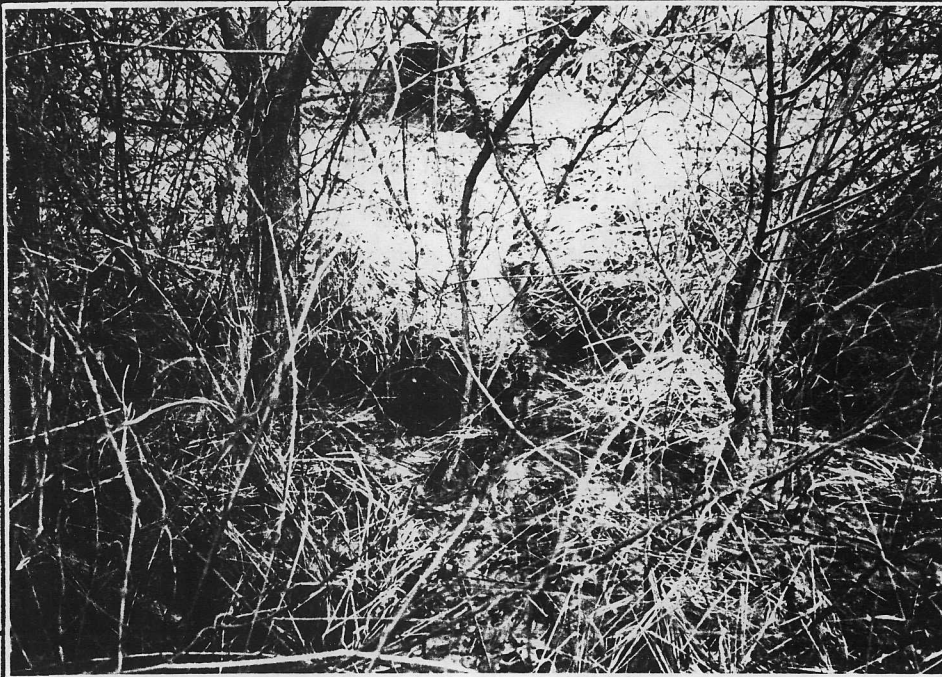
DATE: 03 / 18 / 91
TIME: 8:50AM - 2:15 PM
PHOTOGRAPH TAKEN BY: Rich Johnson
COMMENTS: Pictures taken toward: northwest
From the south- central region of Site 1
ROLL #: 344 PHOTO #: 4




FOS



INSPECTION PHOTOS


DATE: 03 / 18 / 91	SITE #: 1 1 7 8 0 2 0 0 0 3 CO.: Macoupin
TIME: 8:50AM - 2:15 PM	SITE NAME: Brighton / Brighton Land fill
PHOTOGRAPH TAKEN BY: Rich Johnson	
COMMENTS: Pictures taken toward: South from the southwest region of site 1.	
ROLL #: 344 PHOTO #: 5	

DATE: 03 / 18 / 91	
TIME: 8:50AM - 2:15 PM	
PHOTOGRAPH TAKEN BY: Rich Johnson	
COMMENTS: Pictures taken toward: South from the southwest region of site 1.	
ROLL #: 344 PHOTO #: 6	

FOS



INSPECTION PHOTOS

DATE: 03 / 18 / 91	SITE #: 1 1 7 8 0 2 0 0 0 3 CO.: Macoupin
TIME: 8:50AM - 2:15 PM	SITE NAME: Brighton / Brighton Land fill
PHOTOGRAPH TAKEN BY: Rich Johnson	
COMMENTS: Pictures taken toward: South from	
the southwest	
region of	
Site 1.	
ROLL #: 344 PHOTO #: 7	

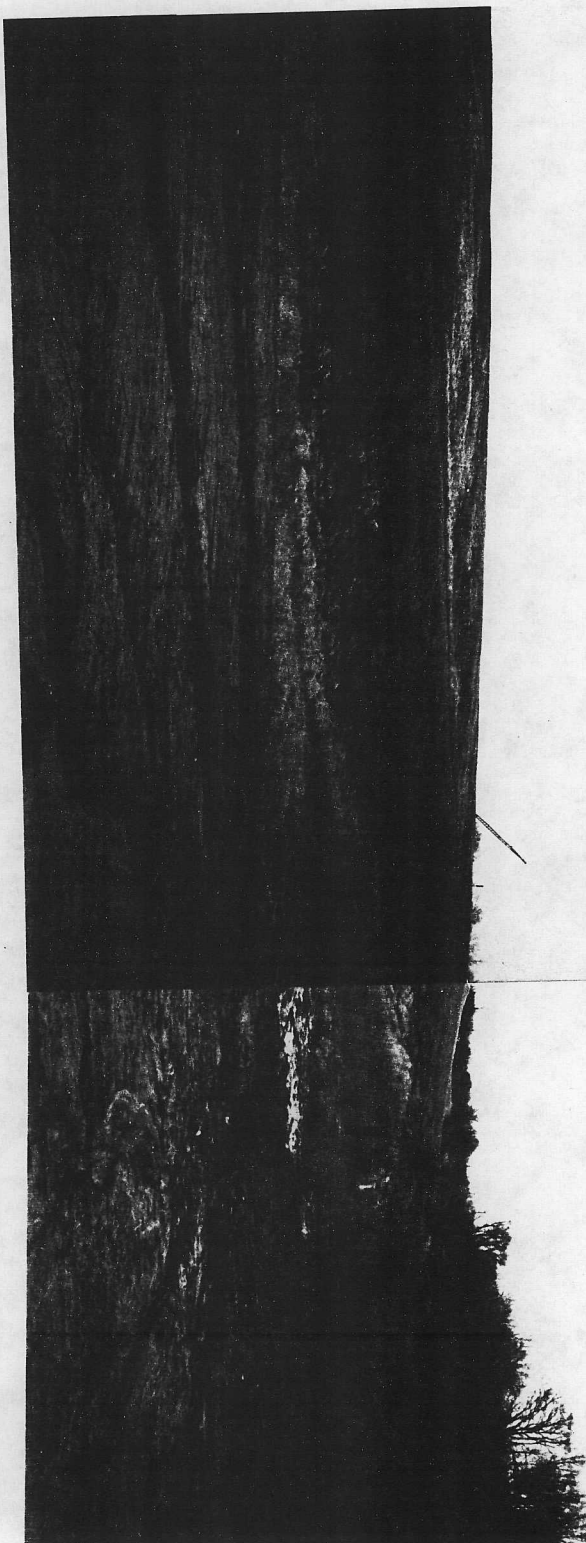
DATE: 03 / 18 / 91
TIME: 8:50AM - 2:15 PM
PHOTOGRAPH TAKEN BY: Rich Johnson
COMMENTS: Pictures taken toward: north east
from the south-
east region
of Site 2
ROLL #: 344 PHOTO #: 8



FOS



INSPECTION PHOTOS


DATE: 03 / 18 / 91	SITE #: 1 1 7 8 0 2 0 0 0 3 CO.: Macoupin
TIME: 8:50AM - 2:15 PM	SITE NAME: Brighton / Brighton Land fill
PHOTOGRAPH TAKEN BY: Rich Johnson	
COMMENTS: Pictures taken toward: northeast	
From the south-	
west region	
of site 2.	
ROLL #: 344 PHOTO #: 9	

DATE: 03 / 18 / 91
TIME: 8:50AM - 2:15 PM
PHOTOGRAPH TAKEN BY: Rich Johnson
COMMENTS: Pictures taken toward: east from
the southwest
region of site
2.
ROLL #: 344 PHOTO #: 10

FOS



INSPECTION PHOTOS

DATE: 03/18/91	SITE #: 1178020003 CO.: Macoupin
TIME: 8:50AM - 2:15 PM	SITE NAME: Brighton / Brighton Land Fill
PHOTOGRAPH TAKEN BY: Rich Johnson	
COMMENTS: Pictures taken toward: south from the northwest region of Site 2	
ROLL #: 344 PHOTO #: 11	

DATE: 03/18/91
TIME: 8:50AM - 2:15 PM
PHOTOGRAPH TAKEN BY: Rich Johnson
COMMENTS: Pictures taken toward: east from an area near the northwest corner of Site 2
ROLL #: 345 PHOTO #: 12



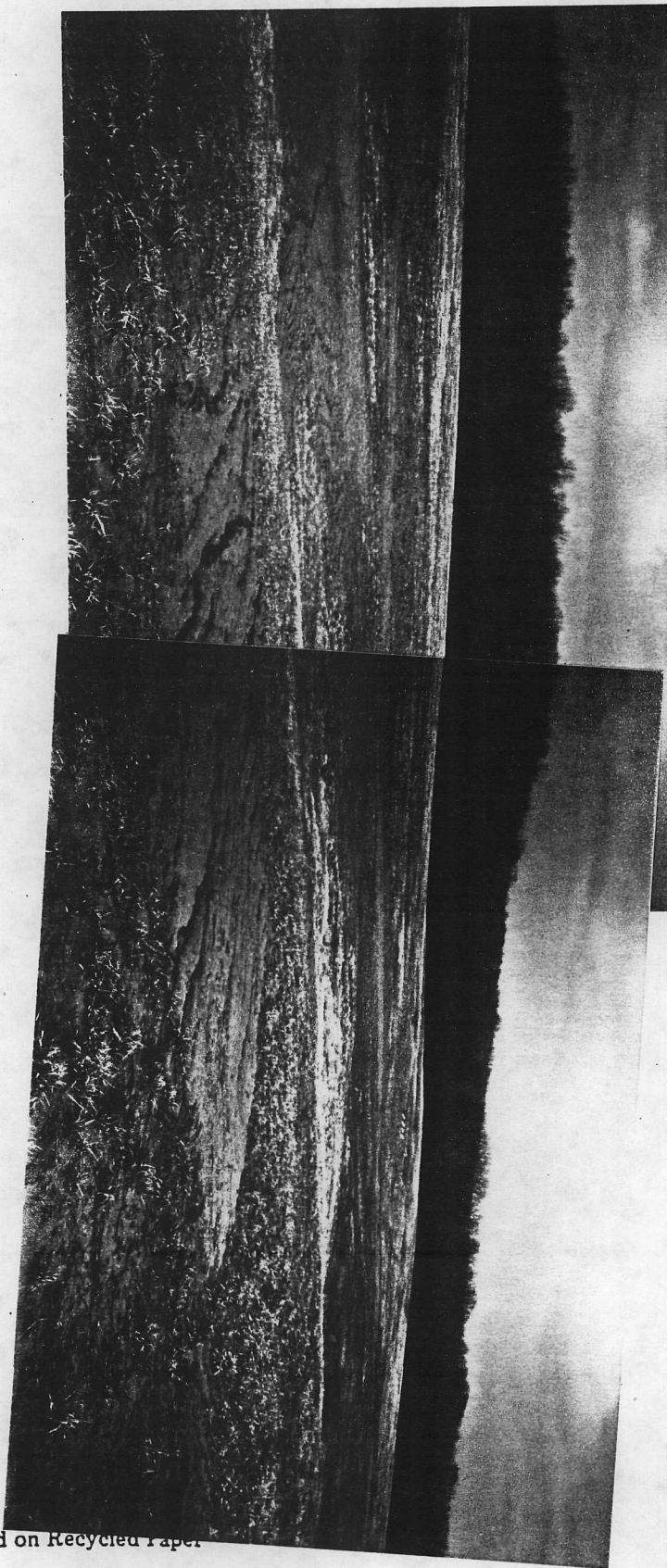
FOS



INSPECTION PHOTOS

DATE: 03 / 18 / 91	SITE #: 1 1 7 8 0 2 0 0 0 3 CO.: Macoupin
TIME: 8:50AM - 2:15 PM	SITE NAME: Brighton / Brighton Land Fill
PHOTOGRAPH TAKEN BY: Rich Johnson	
COMMENTS: Pictures taken toward: northeast from the north- east region of Site 2	
ROLL #: 345 PHOTO #: 13	


DATE: 03 / 18 / 91
TIME: 8:50AM - 2:15 PM
PHOTOGRAPH TAKEN BY: Rich Johnson
COMMENTS: Pictures taken toward: northeast from the northeast region of Site 2
ROLL #: 345 PHOTO #: 14




FOS



INSPECTION PHOTOS

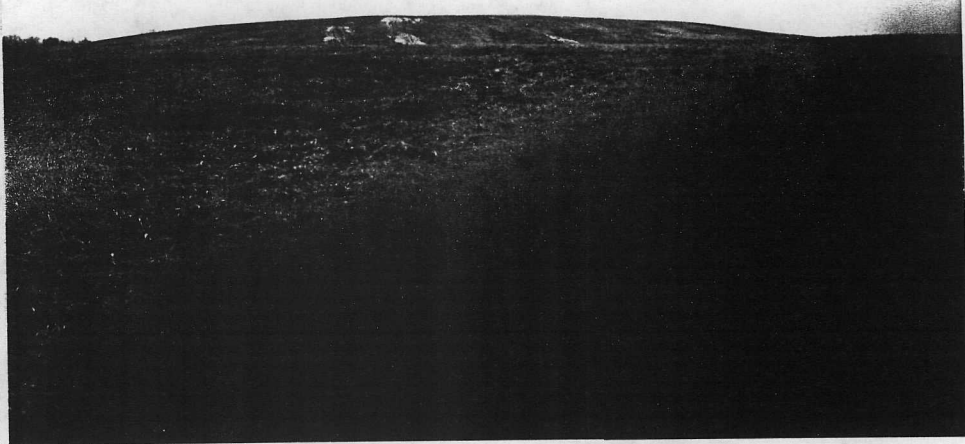
DATE: 03 / 18 / 91	SITE #: 1 1 7 8 0 2 0 0 0 3 CO.: Macoupin
TIME: 8:50AM - 2:15 PM	SITE NAME: Brighton / Brighton Land fill
PHOTOGRAPH TAKEN BY: Rich Johnson	
COMMENTS: Pictures taken toward:	
South From	
north of the	
northeast corner of Site 2.	
ROLL #: 345 PHOTO #: 15	

DATE: 03 / 18 / 91	
TIME: 8:50AM - 2:15 PM	
PHOTOGRAPH TAKEN BY: Rich Johnson	
COMMENTS: Pictures taken toward:	
northwest from the north- west region of Site 1.	
ROLL #: 345 PHOTO #: 16	

FOS



INSPECTION PHOTOS

DATE: 03/18/91	SITE #: 1178020003 CO.: Macoupin
TIME: 8:50AM - 2:15 PM	SITE NAME: Brighton / Brighton Land Fill
PHOTOGRAPH TAKEN BY: Rich Johnson	
COMMENTS: Pictures taken toward: Southwest	
From the north- west region of Site 1.	
ROLL #: 345 PHOTO #: 17	

DATE: 03/18/91
TIME: 8:50AM - 2:15 PM
PHOTOGRAPH TAKEN BY: Rich Johnson
COMMENTS: Pictures taken toward: Southeast
from the northwest region of Site 1.
ROLL #: 345 PHOTO #: 18



FOS